

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Bird on 2-10-09.

The application has been amended as follows:

Claim 42: Page 3, line 1, after the word 'cancer' insert the following phrase:

-- selected from a group consisting of lung cancer, non-small cell lung cancer, breast cancer, head & neck cancer, gastric cancer and colorectal cancer, --.

Allowable Subject Matter

Applicant's amendment of 12-5-08 has been fully considered. The elected species is acknowledged.

Claims 1-35 are now cancelled.

New claims 36-53 are pending.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

New claims are directed to the elected species which has (*-propanol-1-oxo)-(piperidin-1-yl)-oxy*). The prior arts of record do not teach or fairly suggested such a substituent at the 7-position on a correlative piperidine core.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAMTHOM N. TRUONG whose telephone number is (571)272-0676. The examiner can normally be reached on M, T and Th (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. James O. Wilson can be reached on 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 1624

/James O. Wilson/
Supervisory Patent Examiner, Art Unit 1624

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2-10-09